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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Van Tyle, et al.  
TITLE : Tape Dispenser  
APPLICATION NO. : 10/609,221  
FILED : June 27, 2003  
CONFIRMATION NO. : 7552  
EXAMINER : Mark A. Osele  
ART UNIT : 1734  
LAST OFFICE ACTION : September 18, 2004  
ATTORNEY DOCKET NO. : MAEE 2 00049

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed September 21, 2005 finally rejecting claims 6-10, 61 and 63. An After Final Amendment and Response to Examiner's Action was filed November 18, 2005.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

3. **EXTENSION OF TERM**

☐ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. §1.136(a) for a -month extension of time up to and including in

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which to file the accompanying Notice of Appeal. Payment for the filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee:	<u>\$500.00</u>
Extension of Time Fee:	<u>\$ -0-.00</u>


5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

Respectfully submitted,

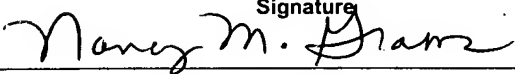
FAY, SHARPE, FAGAN,  
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12-21-05  
Date

  
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CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being  
☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.  
☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.  
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Date December 21, 2005	Printed Name Nancy M. Grams